FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO.1310 of 2007
IN
SECOND APPEAL NO.1397 of 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr S.J.Rairkar, for the applicants.

CORAM: D.B.BHOSALE,J.
DATED: 26.10.2007

P.C.:

Heard learned counsel for the applicant and Mr.Prathmesh Bhargude, learned counsel for the respondents. The prayer (a) in the application cannot be granted in view of the fact that no such protection was granted in favour of the appellants during pendency of their first appeal, apart from the fact that there is a clear finding of the court below that the respondents are in possession of the said property. Insofar as prayer (b) is concerned, learned counsel for the respondents has no objection for allowing this prayer in the application. In the circumstances, the civil application is made absolute in terms of prayer clause (b).

(D.B.Bhosale, J.)